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WAKE COUNTY

Letter condemns city of Raleigh's tactics in lawsuit after police raided wrong home

BY VIRGINIA BRIDGES

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Yolanda Irving and Kenya Walton, mothers whose homes were raided in 2020 when Raleigh police officers served a no-knock warrant on the wrong home, speak during a press conference on Monday, Jan. 30, 2023, in Raleigh, N.C. BY KAITLIN MCKEOWN



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A civil rights organization has criticized the city of Raleigh's tactics in fighting a lawsuit filed by three families who say they were traumatized by a no-knock police raid led by a now-fired police detective on the wrong address.

"In defending this case, the City of Raleigh has elected to use taxpayer money to pay four private law firms, along with two City Attorneys, to employ a defense strategy that has included accusing these innocent mothers and children of criminal wrongdoing and subjected them to a battery of invasive and inappropriate questions," Emancipate NC wrote in a Jan. 17 letter to Mayor Mary-Ann Baldwin and members of the City Council.

In response to questions about the letter, city spokesperson Julia Milstead told The News & Observer the city handles lawsuits through the courts, not the media.

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Fifteen individuals and the city are being sued in this lawsuit, she wrote in a statement, and like other municipalities the city has excess insurance coverage to cover legal fees in such cases to ensure that all the defendants are represented by an attorney.

“We want a fair outcome for all parties involved in this litigation. Responding in kind will not promote justice; in fact, it would jeopardize fairness,” the statement states. “Thus, we cannot comment on misrepresentations and material omissions that have been provided to you. Those will be addressed where appropriate in the courts.”

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CIVIL RIGHTS LAWSUIT

Emancipate NC, along with other attorneys, represents three families who filed a federal civil rights lawsuit against the city of Raleigh, former Raleigh police detective Omar Abdullah and his police colleagues and supervisor in April 2022.

The lawsuit followed police entering two apartments unannounced in May 2020, the lawsuit states. The officers wore tactical gear, pointed assault rifles at and detained innocent women and children as young as 12, including a partially paralyzed youth, it states.

The plaintiffs include [Yolanda Irving](#), a mother of five who drove a Wake County bus for children with special needs, and three of her children, who were home the day police searched the house.

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Other plaintiffs include Irving's neighbor Kenya Walton, her four children and another teen, who were all detained during the search of Irving's apartment, according to interviews and the lawsuit.

Irving and Walton are both Wake County employees who work with children, the lawsuit notes.

The police raid was a result of an investigation led by Abdullah involving confidential informant Dennis Williams.

THREE LAWSUITS

Irving and the other families' lawsuit is one of three related to Abdullah and Williams' partnership, which sent about a dozen Black men to jail on trafficking charges in 2019 and 2020 for drugs that repeatedly turned out to be fake, according to court documents.

Some of those men and their families filed a federal civil rights lawsuit in April 2021, which the city of Raleigh quickly [settled for \\$2 million in September 2021](#).

A third lawsuit [was filed in June 2022](#). It accuses Abdullah of planting drugs on a man who spent more than three years incarcerated on drug charges that were later vacated.

Williams was suspended as a confidential informant the day after the raid on Irving's and her neighbor's homes in May 2020. Williams was later charged with five counts of obstruction of justice related to the arrests.

Abdullah was fired from the police [department in October 2021](#). He was indicted on a felony obstruction [of justice charge in July 2022](#).

LETTER: CITY ATTORNEYS 'PUSH THE BOUNDS OF PROFESSIONAL ETHICS'


The Emancipate letter states the raid on Irving's home was not the result of any wrongdoing by anyone in her family.



The operation was done “pursuant to an erroneously-issued search warrant intended for another person at another address, who was himself being framed with fake heroin by a now-indicted police officer and informant, endangered the lives our clients, who include a then-pregnant woman and a young man suffering from severe physical disabilities and traumatic brain injury,” the letter states.

The homes were raided due to police officials' inattention to detail, the letter states, pointing to a report before the raid that interchanges Irving's address with the intended target.

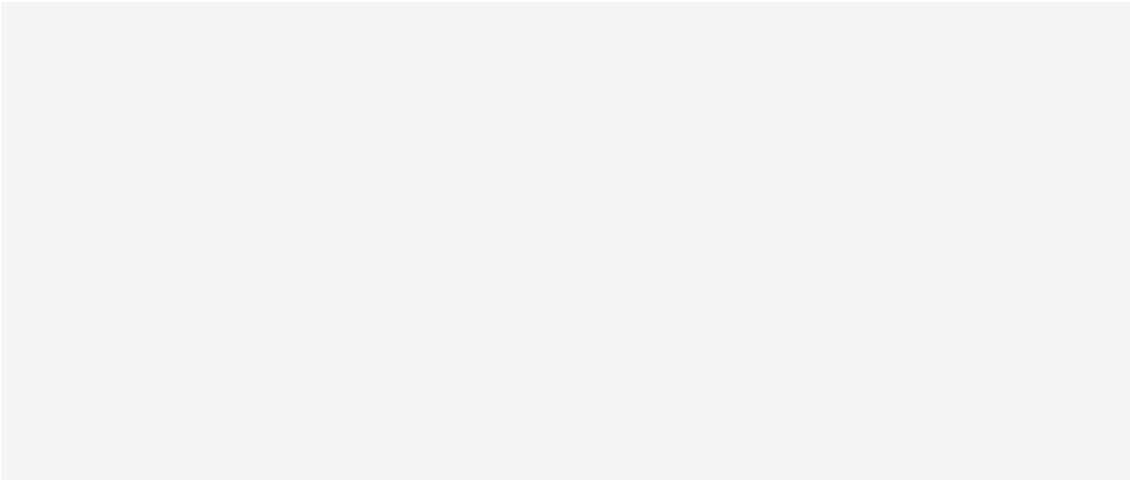
Still, that hasn't shielded the families from scrutiny in the lawsuit, the letter states.



City attorneys have brought up prior marijuana use of the plaintiffs and asked a teenage plaintiff about seeing people in gang colors.

Police also asked what gangs live on the street, how many of them sold drugs out of their house and if the drug sales and shootings make them fearful, the letter states.

Williams is the only gang member involved in the case, the letter states.



QUESTIONS ABOUT TATTOOS AND ABSENT FATHERS

After city of Raleigh attorneys deposed Irving, she called one of her attorneys in tears, Irving told The N&O.

Irving said attorneys dug up things that happened 20 years ago. They asked her 15-year-old son if his tattoos were gang related, Irving said, and asked Irving's daughter why her father wasn't involved in her life.

"This doesn't have anything to do with the case," Irving said.

City officials were wrong to raid their apartment, Irving said, and they still haven't apologized.

“The practices reflect poorly on the City of Raleigh,” the Emancipate letter states. “We also believe some of the questions push the bounds of professional ethics.”

The continued use of a defense strategy that maligns the plaintiffs’ characters will only increase the cost of the litigation, it states.

Meanwhile, the letter states, city attorneys have questioned why Emancipate lawyers care so much about a case involving a wrong address.

“And yet, in electing to defend the case as they have, and aggressively seeking to malign the character of innocent Black public workers and their children, they have answered their own question,” the letter states.

Attorney Abraham Rubert-Schewel, who is also representing the plaintiffs, said mediation in the Irving lawsuit is scheduled for early next month.

“Our clients look forward to mediation and hope we can come up with a resolution that is fair and just,” he said.

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VIRGINIA BRIDGES



919-829-8924

Virginia Bridges covers criminal justice in the Triangle for The News & Observer and The Herald-Sun. She has worked for newspapers for more than 15 years. The N.C. State Bar Association awarded her the Media & Law Award for Best Series in 2018 and 2020.

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